

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

WESTERN DIVISION

CIVIL ACTION NO. 3:05-CV-30109-MAP

JOANN PELLETIER,  
Plaintiff

vs.

SANDRA T. TALBOT, CHITRA  
PUBLICATIONS, CHARIOT PUBLISHING,  
INC. As General Partner of Chitra  
Publications, CHRISTIANE MEUNIER, As  
Officer of Chariot Publishing, Inc.,  
CHRISTIANE MEUNIER, As Owner of  
Chitra Publications, and CHRISTIANE  
MEUNIER d/b/a MOON OVER MOUNTAIN,  
Defendants

**AMENDED COMPLAINT FOR  
INJUNCTIVE RELIEF AND  
DAMAGES**

**JURISDICTION AND VENUE**

1. This is an action for injunctive relief and money damages alleging copyright infringement under the United States Copyright Act of 1976, as amended, 17 U.S.C. §§ 101 et seq. (the "Copyright Act"), and further alleging false designations of origin under the Lanham Act § 43(a), 15 U.S.C. § 1125(a) and unfair competition under Massachusetts General Law, Chapter 93A. This Court has jurisdiction pursuant to 28 U.S.C. § 1338(a). Supplemental jurisdiction over the cause of action under the laws of the Commonwealth of Massachusetts is proper as substantially related to those causes of action over which the court has original jurisdiction, pursuant to 28 U.S.C. § 1367.

2. This Court has personal jurisdiction over Defendant Sandra T. Talbot because Defendant Talbot resides in Massachusetts, and over Defendants Chitra Publications, Chariot Publishing, Inc. as General Partner of Chitra Publications, Christiane Meunier, as Officer of Chariot Publishing, Inc., owner of Chitra Publications, and doing business as Moon Over Mountain because Defendants Chitra, Chariot, and Meunier conduct business in the

Commonwealth of Massachusetts and within the First Circuit of Massachusetts by advertising and selling their products through the Internet to Massachusetts residents.

3. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and 1400(a).

4. All of the claims for copyright infringement joined in this Complaint are governed by the same legal rules and involve similar facts and parties. Joinder of the claims will promote the convenient administration of justice and will avoid a multiplicity of separate similar actions against the Defendants.

#### THE PARTIES

5. Plaintiff JoAnn Pelletier (“Plaintiff Pelletier”), an individual having a primary residence of 41 Woolworth Street, Longmeadow, Massachusetts 01106, is the author and owner of copyrights in the design and in the pattern of a quilt.

6. Defendant Sandra T. Talbot (“Defendant Talbot”) is an individual having a primary residence of 15 Prynwood Road, Longmeadow, Massachusetts 01106.

7. Defendant Chitra Publications (“Defendant Chitra”) is a corporation, organized and existing under the laws of the Commonwealth of Pennsylvania, and having a usual place of business at 2 Public Avenue, Montrose, Pennsylvania 18801-1220, which publishes and sells magazines and books dedicated to quilting, wherein such publications include pictures of quilt designs and instructions for creating the pictured quilt designs, and further wherein such publications are offered for sale and sold over the Internet and in retail stores throughout the United States.

8. Defendant Chariot Publishing, Inc. (“Defendant Chariot”) is the General Partner of Chitra Publications, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania and having a usual place of business at 2 Public Avenue, Montrose, Pennsylvania 18801-1220.

9. Defendant, Christiane (Abdale) Meunier, (“Defendant Meunier”) is an officer of Chariot Publishing, Inc., the General Partner of Chitra Publications, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania and having a usual place of business at 2 Public Avenue, Montrose, Pennsylvania 18801-1220.

10. The Defendant Meunier is also owner of Chitra Publications, Commonwealth of Pennsylvania entity number 956722 (fictitious names), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, now or formerly of 272 Main Street, New Milford, Pennsylvania 18834, which published and sold magazines dedicated to quilting, wherein such publications included pictures of quilt designs and instructions for creating the pictured quilt designs, and further wherein such publications were offered for sale and sold over the Internet and/or in retail stores throughout the United States.

11. The Defendant Meunier also does business as Moon Over Mountain, having a usual place of business at 2 Public Avenue, Montrose, Pennsylvania 18801-1220, which publishes and sells magazines and books dedicated to quilting, wherein such publications include pictures of quilt designs and instructions for creating the pictured quilt designs and further wherein such publications are offered for sale and sold over the Internet and in retail stores throughout the United States.

COUNT I – COPYRIGHT INFRINGEMENT AS TO  
DEFENDANT SANDRA T. TALBOT

12. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-11 above.

13. On or about January 21, 1993, Plaintiff Pelletier first published an original work of authorship consisting of a unique quilt design (the “Copyrighted Design”) and a pattern for recreating the design (the “Copyrighted Pattern”), a copy of which are attached hereto as Exhibit A.

14. The Copyrighted Design is a unique and original design derived from a log cabin, courthouse quilt design.

15. On September 17, 2004, Plaintiff Pelletier complied in all respects with the requirements of the Copyright Act, and applied for and received from the Register of Copyrights Certificate of Registration No. VA 1-282-126, which is attached hereto as Exhibit B, for the Copyrighted Design and for the Copyrighted Pattern (“Registered Copyright”).

16. On or about January 21, 1993, Plaintiff Pelletier conducted a quilting class, which was attended by Defendant Talbot and at which Plaintiff Pelletier provided Defendant Talbot with visual and written instructions for the Copyrighted Design and for the Copyrighted Pattern.

17. On or about April 2000, Plaintiff Pelletier conducted a quilting class (the "Class"), which was attended by Defendant Talbot. During the course of the Class, Plaintiff Pelletier read a letter and presented a copy of the letter to Defendant Talbot, wherein the letter stated that any quilts expressly or derivatively reproduced from all teachings of Plaintiff Pelletier, including the Copyrighted Pattern, was for Defendant Talbot's own personal use and enjoyment, and was not for public display or publication. See Exhibit C.

18. On or about April to September 2000, Defendant Talbot threatened to submit the Copyrighted Pattern and the Copyrighted Design to Defendant Chitra Publications ("Defendant Chitra"); consequently, in September, 2000 Plaintiff Pelletier requested that Defendant Talbot no longer attend the Class.

19. Claiming the Copyrighted Pattern and Copyrighted Design to be the direct result of her own creative endeavor and, hence, belonging exclusively to her, on or about September 2000, Defendant Talbot submitted the Copyrighted Design under the title "Just Spooling Around" to Defendant Chitra, and gave Defendant Chitra permission to publish the Copyrighted Design in Defendant Chitra's various quilting publications, wherein such publications accredited Defendant Talbot with authorship and ownership status over the Copyrighted Design.

20. On September 21, 2004, Attorney Deborah A. Basile, an attorney at Doherty, Wallace, Pillsbury & Murphy, P.C., located at One Monarch Place, Suite 1900, 1414 Main Street, Springfield, MA 01144, working on behalf of Plaintiff Pelletier ("Attorney Basile"), sent a cease and desist letter to Defendant Talbot, which is attached hereto as Exhibit D.

21. By virtue of the unauthorized use, reproduction, and distribution of the Copyrighted Design, Defendant Talbot has infringed Plaintiff Pelletier's Copyrighted Design all in violation of Title 17 of the United States Code.

22. The specific acts of copyright infringement alleged above, as well as, Defendant Talbot's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Talbot from committing further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT II – COPYRIGHT INFRINGEMENT AS TO  
DEFENDANT CHITRA PUBLICATIONS

23. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-22 above.

24. On or about October 2003, without Plaintiff Pelletier's permission, Defendant Chitra published the Copyrighted Design under the title "Just Spooling Around" along with the Copyrighted Pattern in the October/November 2003 issue of Defendant Chitra's "Quiltworks Today" magazine (the "Magazine"), wherein the Copyrighted Design and the Copyrighted Pattern appeared on pages 26-27 of the Magazine. Exhibit E.

25. On or about 2004, Defendant Chitra published the Copyrighted Design under the title "Just Spooling Around" and the Copyrighted Pattern in a softcover work entitled "A Few of My Favorite Scrap Quilts" (the "Book"). Exhibit F.

26. The Copyrighted Design is featured on the cover of the Book, on page 3 of the Book and the Copyrighted Pattern is duplicated in the Book at Pages 11 and 15; additionally, credit of authorship is improperly given to Defendant Talbot on Page 15 of the Book. Exhibit F.

27. On or about September 2004, Plaintiff Pelletier phoned Defendant Chitra and indicated to an agent of Defendant Chitra that Plaintiff Pelletier was in fact the author and the owner of the Copyrighted Design and the Copyrighted Pattern, and that she desired to have Defendant Talbot discredited from any claims of authorship in the Copyrighted Design and the Copyrighted Pattern and that she wanted her name to be credited to the Copyrighted Design and Pattern.

28. On September 21, 2004, Attorney Basile sent a cease and desist letter to Defendant Chitra, which is attached hereto as Exhibit D.

29. Defendant Chitra has offered for sale and has sold the Magazine and the Book over the Internet and in retail stores located throughout the United States.

30. As of February 17, 2006, Defendant Chitra, without Plaintiff Pelletier's permission, continues to publish, advertise, and to sell the Book and the magazine for profit as evidenced by the following Web sites, which were last accessed on February 17, 2006:

[http://www.bestwebburry.com/A\\_Few\\_of\\_My\\_Favorite\\_Scrap\\_Quilts](http://www.bestwebburry.com/A_Few_of_My_Favorite_Scrap_Quilts);

<http://www.quiltersgilde.nl/Bieb/2005MrtNwB.html>; and

<http://www.quilttownusa.com/eshop/10browse.asp?category=Back+Issue> See Exhibit G.

31. By virtue of the unauthorized use, reproduction, and distribution of the Copyrighted Design and the Copyrighted Pattern, Defendant Chitra has infringed Plaintiff Pelletier's Copyrighted Design and Copyrighted Pattern all in violation of Title 17 of the United States Code.

32. The specific acts of copyright infringement alleged above, as well as, Defendant Chitra's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Chitra from committing further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT III –CONTRIBUTORY LIABILITY AS TO DEFENDANT CHITRA

PUBLICATIONS

33. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 32 above.

34. The Defendant Chitra, with knowledge of the infringing activity of the Defendant Talbot, induced, caused, or materially contributed to the infringing conduct of the Defendant Talbot, or otherwise aided or facilitated the infringement with reason to know of the direct infringement.

35. The specific acts and/or contributory conduct of the Defendant Chitra as alleged above have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Chitra from committing or contributing to any further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT IV – COPYRIGHT INFRINGEMENT AS TO

DEFENDANT CHARIOT PUBLISHING, INC.

36. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-35 above.

37. The Defendant Chariot is the General Partner of the limited partnership Chitra Publications.

38. By virtue of the unauthorized use, reproduction, and distribution of the copyrighted design and the copyrighted pattern, Defendant Chariot has infringed Plaintiff Pelletier's copyrighted design and copyrighted pattern all in violation of Title 17 of the United States Code.

39. The specific acts of copyright infringement alleged above, as well as Defendant Chariot's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Chariot from committing further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT V – COPYRIGHT INFRINGEMENT AS TO  
DEFENDANT CHRISTIANE MEUNIER As Officer of Chariot Publishing, Inc.

40. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-39 above.

41. The Defendant Meunier is an officer of Chariot Publishing, Inc., the General Partner of the Limited Partnership Chitra Publications.

42. By virtue of the unauthorized use, reproduction, and distribution of the copyrighted design and the copyrighted pattern, Defendant Meunier has infringed Plaintiff Pelletier's copyrighted design and copyrighted pattern all in violation of Title 17 of the United States Code.

43. The specific acts of copyright infringement alleged above, as well as Defendant Meunier's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier from committing further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT VI –CONTRIBUTORY LIABILITY AS TO DEFENDANT CHRISTIANE MEUNIER  
As Officer of Chariot Publishing, Inc.

44. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 43 above.

45. The Defendant Meunier, with knowledge of the infringing activity of the Defendant Talbot, induced, caused, or materially contributed to the infringing conduct of the Defendant Talbot or otherwise aided or facilitated the infringement with reason to know of the direct infringement.

46. The specific acts and/or contributory conduct of the Defendant Meunier as alleged above have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier from committing or contributing to any further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT VII –VICARIOUS LIABILITY AS TO DEFENDANT CHRISTIANE MEUNIER As  
Officer of Chariot Publishing, Inc.

47. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 46 above.

48. The Defendant Meunier as officer of Defendant Chariot had the right and authority to direct the conduct of the Defendant Chariot and had a financial interest in the conduct of the Defendant Chariot.

49. The Defendant Meunier as officer of the Defendant Chariot personally participated in the infringement of Plaintiff Pelletier's copyrighted design and copyrighted pattern and derived financial benefit from the infringing activities.

50. The Defendant Meunier as officer of the Defendant Chariot used the Defendant Chariot as an instrument to carry out the copyright infringement.

51. The Defendant Meunier as officer of the Defendant Chariot was the dominant influence on the Defendant Chariot and determined the policies that resulted in the infringement.

52. The specific acts of the Defendant Meunier, as officer the Defendant Chariot have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier as officer of Defendant Chariot from committing further acts of copyright infringement, the Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT VIII – COPYRIGHT INFRINGEMENT AS TO  
DEFENDANT CHRISTIANE MEUNIER As Owner of Chitra Publications

53. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-52 above.

54. The Defendant Meunier is the owner of Chitra Publications, Commonwealth of Pennsylvania, entity number 956722 (fictitious names), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, now or formerly of 272 Main Street, New Milford, Pennsylvania 18834, which published and sold magazines dedicated to quilting, wherein such publications included pictures of quilt designs and instructions for creating the pictured quilt designs, and further wherein such publications were offered for sale and sold over the Internet and/or in retail stores throughout the United States.

55. By virtue of the unauthorized use, reproduction, and distribution of the copyrighted design and the copyrighted pattern, Defendant Meunier has infringed Plaintiff Pelletier's copyrighted design and copyrighted pattern all in violation of Title 17 of the United States Code.

56. The specific acts of copyright infringement alleged above, as well as Defendant Meunier's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier from committing further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT IX –CONTRIBUTORY LIABILITY AS TO DEFENDANT CHRISTIANE MEUNIER  
As Owner of Chitra Publications

57. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 56 above.

58. The Defendant Meunier with knowledge of the infringing activity of the Defendant Talbot, induced, caused, or materially contributed to the infringing conduct of the Defendant Talbot or otherwise aided or facilitated the infringement with reason to know of the direct infringement.

59. The specific acts and/or contributory conduct of the Defendant Meunier as alleged above have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier from committing or contributing to any further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT X – VICARIOUS LIABILITY AS TO DEFENDANT CHRISTIANE MEUNIER As  
Owner of Chitra Publications

60. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 59 above.

61. The Defendant Meunier as owner of Defendant Chitra Publications had the right and authority to direct the conduct of the Defendant Chitra and had a financial interest in the conduct of the Defendant Chitra.

62. The Defendant Meunier as owner of the Defendant Chitra personally participated in the infringement of Plaintiff Pelletier's copyrighted design and copyrighted pattern and derived financial benefit from the infringing activities.

63. The Defendant Meunier as owner of the Defendant Chitra used the Defendant Chitra as an instrument to carry out the copyright infringement.

64. The Defendant Meunier as owner of the Defendant Chitra was the dominant influence in the Defendant Chitra and determined the policies that resulted in the infringement.

65. The specific acts of the Defendant Meunier, as owner of the Defendant Chitra have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier as owner of the Defendant Chitra from committing further acts of copyright infringement, the Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XI – COPYRIGHT INFRINGEMENT AS TO  
DEFENDANT CHRISTIANE MEUNIER d/b/a Moon Over Mountain

66. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-65 above.

67. The Defendant Meunier does business as Moon Over Mountain, having a usual place of business at 2 Public Avenue, Montrose, Pennsylvania 18801-1220, which publishes and sells magazines and books dedicated to quilting, wherein such publications include pictures of quilt designs and instructions for creating the pictured quilt designs and further wherein such publications are offered for sale and sold over the Internet and in retail stores throughout the United States.

68. By virtue of the unauthorized use, reproduction, and distribution of the copyrighted design and the copyrighted pattern, Defendant Meunier d/b/a Moon Over Mountain has infringed Plaintiff Pelletier's copyrighted design and copyrighted pattern all in violation of Title 17 of the United States Code.

69. The specific acts of copyright infringement alleged above, as well as Defendant Meunier's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier d/b/a Moon Over Mountain from committing further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

70. As of February 17, 2006, Defendant Meunier d/b/a Moon Over Mountain continues to publish, advertise and to sell the Book and magazine for profit, without Plaintiff Pelletier's permission, as evidenced by the following websites which were last accessed on February 17, 2006: <http://www.quiltsource.ca/qshtml/ch1/chlnew.html>; <http://www.quiltbooksusa.com/subcatmfgprod.asp?0-+200&1=279&2>; and <http://www.quilttownusa.com/eshop/10browse.asp?category=Back+Issue>. See Exhibit H.

71. By virtue of the unauthorized use, reproduction and distribution of the copyrighted design and the copyrighted pattern, Defendant Meunier d/b/a Moon Over Mountain, has infringed Plaintiff Pelletier's copyrighted design and copyrighted pattern all in violation of Title 17 of the United States Code.

72. The specific acts of copyright infringement alleged above, as well as Defendant Meunier d/b/a Moon Over Mountain's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier d/b/a Moon Over Mountain from committing further acts of copyright infringement,

Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XII –CONTRIBUTORY LIABILITY AS TO DEFENDANT CHRISTIANE MEUNIER d/b/a Moon Over Mountain

73. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 72 above.

74. The Defendant Meunier d/b/a Moon Over Mountain with knowledge of the infringing activity of the Defendant Talbot, induced, caused, or materially contributed to the infringing conduct of the Defendant Talbot or otherwise aided or facilitated the infringement with reason to know of the direct infringement.

75. The specific acts and/or contributory conduct of the Defendant Meunier d/b/a Moon Over Mountain as alleged above have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier d/b/a Moon Over Mountain from committing or contributing to any further acts of copyright infringement, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XIII –VICARIOUS LIABILITY AS TO DEFENDANT CHRISTIANE MEUNIER d/b/a Moon Over Mountain

76. Plaintiff Pelletier repeats and realleges each of the allegations contained in Paragraphs 1 through 75 above.

77. The Defendant Meunier d/b/a Moon Over Mountain has the right and authority to direct the conduct of and has a financial interest in the business entity known as Moon Over Mountain, having a usual place of business at 2 Public Avenue, Montrose, Pennsylvania 18801-1220, which publishes and sells magazines and books dedicated to quilting, wherein such publications include pictures of quilt designs and instructions for creating the pictured quilt designs and further wherein such publications are offered for sale and sold over the Internet and in retail stores throughout the United States.

78. The Defendant Meunier d/b/a Moon Over Mountain personally participates in the infringement of Plaintiff Pelletier's copyrighted design and copyrighted pattern and derives financial benefit from the infringing activities.

79. The Defendant Meunier d/b/a Moon Over Mountain uses Moon Over Mountain as an instrument to carry out the copyright infringement.

80. The Defendant Meunier d/b/a Moon Over Mountain is the dominant influence over Moon Over Mountain and determines the policies that result in the infringement.

81. The specific acts of the Defendant Meunier d/b/a Moon Over Mountain have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless this Court restrains Defendant Meunier d/b/a Moon Over Mountain from committing further acts of copyright infringement, the Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XIV – FALSE DESIGNATION OF ORIGIN

AS TO DEFENDANT SANDRA T. TALBOT

82. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-81 above.

83. As established by the Copyright Registration, Plaintiff Pelletier is the author and the owner of the Copyrighted Pattern and of the Copyrighted Design.

84. Through her correspondence with Defendant Chitra, and as evidenced by the attribution of the Copyrighted Design to her name, as shown in Exhibit F, Defendant Talbot has falsely portrayed herself as the author of the Copyrighted Design.

85. Defendant Talbot's false designation of origin is likely to cause consumer confusion as to the authorship and ownership of the Copyrighted Design.

86. The false designations of origin as well as Defendant Talbot's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless the Court restrains Defendant Talbot from further false designations of the Copyrighted Design, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XV – FALSE DESIGNATION OF ORIGIN  
AS TO DEFENDANT CHITRA PUBLICATIONS

87. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-86 above.

88. As established by the Copyright Registration, Plaintiff Pelletier is the author and the owner of the Copyrighted Pattern and of the Copyrighted Design.

89. Despite Plaintiff Pelletier's notification to Defendant Chitra that Plaintiff Pelletier is the author and the owner of the Copyrighted Design and of the Copyrighted Pattern, Defendant Chitra has continued to attribute authorship and ownership of the Copyrighted Design and Copyrighted Pattern to Defendant Talbot in Defendant's Chitra's various publications which are sold over the Internet and in various retail stores.

90. Defendant Chitra's false designation of origin is likely to cause consumer confusion as to the authorship and ownership of the Copyrighted Pattern and Copyrighted Design.

91. The false designations of origin as well as Defendant Chitra's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless the Court restrains Defendant Chitra from further false designations of the Copyrighted Design, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XVI – FALSE DESIGNATION OF ORIGIN  
AS TO DEFENDANT CHARIOT PUBLISHING, INC. As General Partner of Defendant  
Chitra Publications

92. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-91 above.

93. As established by the Copyright Registration, Plaintiff Pelletier is the author and the owner of the Copyrighted Pattern and of the Copyrighted Design.

94. Despite Plaintiff Pelletier's notification to Defendant Chariot that Plaintiff Pelletier is the author and the owner of the Copyrighted Design and of the Copyrighted Pattern, Defendant Chariot has continued to attribute authorship and ownership of the Copyrighted

Design and Copyrighted Pattern to Defendant Talbot in Defendant Chariot's various publications which are sold over the Internet and in various retail stores.

95. Defendant Chariot's false designation of origin is likely to cause consumer confusion as to the authorship and ownership of the Copyrighted Pattern and Copyrighted Design.

96. The false designations of origin as well as Defendant Chariot's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless the Court restrains Defendant Chariot from further false designations of the Copyrighted Design, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XVII – FALSE DESIGNATION OF ORIGIN

AS TO DEFENDANT CHRISTIANE MEUNIER As Officer of the Defendant Chariot Publishing, Inc.

97. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-96 above.

98. As established by the Copyright Registration, Plaintiff Pelletier is the author and the owner of the Copyrighted Pattern and of the Copyrighted Design.

99. Despite Plaintiff Pelletier's notification to Defendant Meunier that Plaintiff Pelletier is the author and the owner of the Copyrighted Design and of the Copyrighted Pattern, Defendant Meunier has continued to attribute authorship and ownership of the Copyrighted Design and Copyrighted Pattern to Defendant Talbot in Defendant Meunier's various publications which are sold over the Internet and in various retail stores.

100. Defendant Meunier's false designation of origin is likely to cause consumer confusion as to the authorship and ownership of the Copyrighted Pattern and Copyrighted Design.

101. The false designations of origin as well as Defendant Meunier's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless the Court restrains Defendant Meunier from further false designations of the Copyrighted Design, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XVIII – FALSE DESIGNATION OF ORIGINAS TO DEFENDANT CHRISTIANE MEUNIER As Owner of Defendant Chitra Publications

102. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-101 above.

103. As established by the Copyright Registration, Plaintiff Pelletier is the author and the owner of the Copyrighted Pattern and of the Copyrighted Design.

104. Despite Plaintiff Pelletier's notification to Defendant Meunier that Plaintiff Pelletier is the author and the owner of the Copyrighted Design and of the Copyrighted Pattern, Defendant Meunier has continued to attribute authorship and ownership of the Copyrighted Design and Copyrighted Pattern to Defendant Talbot in Defendant Meunier's various publications which are sold over the Internet and in various retail stores.

105. Defendant Meunier's false designation of origin is likely to cause consumer confusion as to the authorship and ownership of the Copyrighted Pattern and Copyrighted Design.

106. The false designations of origin as well as Defendant Meunier's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless the Court restrains Defendant Meunier from further false designations of the Copyrighted Design, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XIX – FALSE DESIGNATION OF ORIGINAS TO DEFENDANT CHRISTIANE MEUNIER d/b/a Moon Over Mountain

107. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-106 above.

108. As established by the Copyright Registration, Plaintiff Pelletier is the author and the owner of the Copyrighted Pattern and of the Copyrighted Design.

109. Despite Plaintiff Pelletier's notification to Defendant Meunier that Plaintiff Pelletier is the author and the owner of the Copyrighted Design and of the Copyrighted Pattern, Defendant Meunier has continued to attribute authorship and ownership of the Copyrighted

Design and Copyrighted Pattern to Defendant Talbot in Defendant Meunier's various publications which are sold over the Internet and in various retail stores.

110. Defendant Meunier's false designation of origin is likely to cause consumer confusion as to the authorship and ownership of the Copyrighted Pattern and Copyrighted Design.

111. The false designations of origin as well as Defendant Meunier's entire course of conduct have caused and continue to cause great and incalculable damage to Plaintiff Pelletier. Unless the Court restrains Defendant Meunier from further false designations of the Copyrighted Design, Plaintiff Pelletier will suffer irreparable injury and harm for which she has no adequate remedy at law.

COUNT XX – UNFAIR COMPETITION UNDER M.G.L. CHAPTER 93A  
AS TO DEFENDANT SANDRA T. TALBOT

112. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-111 above.

113. Defendant Talbot is using the Copyrighted Design in a manner that misappropriates Plaintiff's goodwill in the Copyrighted Design. Additionally, by asserting in commerce that she is the author and owner of the Copyrighted Design, Defendant Talbot is misrepresenting the origin of the Copyrighted Design. Such actions constitute an unfair method of competition and unfair or deceptive acts or practices in the conduct of trade or commerce.

114. Defendant Talbot's participation in these unfair and deceptive acts has occurred primarily and substantially within the Commonwealth of Massachusetts.

115. By engaging in the activities described above, Defendant Talbot has engaged in an unfair method of competition and in unfair and deceptive acts and practices in violation of the Commonwealth of Massachusetts Consumer Protection Laws, M.G.L. c. 93A, § 11.

116. Defendant Talbot's acts of unfair competition were willful and knowing and have caused and are causing great and irreparable injury to Plaintiff and to the Copyrighted Design and goodwill represented thereby in an amount that cannot be ascertained at this time and, unless restrained, will cause further irreparable injury, leaving Plaintiff Pelletier with no adequate remedy at law.

117. By reason of the foregoing, Plaintiff Pelletier is entitled to injunctive relief against Defendant Talbot, restraining further acts of unfair competition, and to recover attorneys' fees and any damages proven to have been caused by reason of Defendant Talbot's aforesaid acts of unfair competition.

COUNT XXI – UNFAIR COMPETITION UNDER M.G.L. CHAPTER 93A  
AS TO DEFENDANT CHITRA PUBLICATIONS

118. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-117 above.

119. Defendant Chitra is using the Copyrighted Design and the Copyrighted Pattern in a manner that misappropriates Plaintiff's goodwill in the Copyrighted Design and the Copyrighted Pattern. Additionally, by asserting in commerce that Defendant Talbot is the author and owner of the Copyrighted Design, Defendant Chitra is misrepresenting the origin of the Copyrighted Design. Such actions constitute an unfair method of competition and unfair or deceptive acts or practices in the conduct of trade or commerce.

120. Defendant Chitra's participation in these unfair and deceptive acts has occurred primarily and substantially within the Commonwealth of Massachusetts.

121. By engaging in the activities described above, Defendant Chitra has engaged in an unfair method of competition and in unfair and deceptive acts and practices in violation of the Commonwealth of Massachusetts Consumer Protection Laws, M.G.L.c. 93A, § 11.

122. Defendant Chitra's acts of unfair competition were willful and knowing and have caused and are causing great and irreparable injury to Plaintiff and to the Copyrighted Design, Copyrighted Pattern, and goodwill represented thereby in an amount that cannot be ascertained at this time and, unless restrained, will cause further irreparable injury, leaving Plaintiff Pelletier with no adequate remedy at law.

123. By reason of the foregoing, Plaintiff Pelletier is entitled to injunctive relief against Defendant Chitra, restraining further acts of unfair competition, and to recover attorneys' fees and any damages proven to have been caused by reason of Defendant Chitra's aforesaid acts of unfair competition.

COUNT XXII – UNFAIR COMPETITION UNDER M.G.L. CHAPTER 93A  
AS TO DEFENDANT CHARIOT PUBLISHING, INC. General Partner of CHITRA  
PUBLICATIONS

124. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-123 above.

125. Defendant Chariot is using the Copyrighted Design and the Copyrighted Pattern in a manner that misappropriates Plaintiff's goodwill in the Copyrighted Design and the Copyrighted Pattern. Additionally, by asserting in commerce that Defendant Talbot is the author and owner of the Copyrighted Design, Defendant Chariot is misrepresenting the origin of the Copyrighted Design. Such actions constitute an unfair method of competition and unfair or deceptive acts or practices in the conduct of trade or commerce.

126. Defendant Chariot's participation in these unfair and deceptive acts has occurred primarily and substantially within the Commonwealth of Massachusetts.

127. By engaging in the activities described above, Defendant Chariot has engaged in an unfair method of competition and in unfair and deceptive acts and practices in violation of the Commonwealth of Massachusetts Consumer Protection Laws, M.G.L.c. 93A, § 11.

128. Defendant Chariot's acts of unfair competition were willful and knowing and have caused and are causing great and irreparable injury to Plaintiff and to the Copyrighted Design, Copyrighted Pattern, and goodwill represented thereby in an amount that cannot be ascertained at this time and, unless restrained, will cause further irreparable injury, leaving Plaintiff Pelletier with no adequate remedy at law.

129. By reason of the foregoing, Plaintiff Pelletier is entitled to injunctive relief against Defendant Chariot, restraining further acts of unfair competition, and to recover attorneys' fees and any damages proven to have been caused by reason of Defendant Chariot's aforesaid acts of unfair competition.

COUNT XXIII – UNFAIR COMPETITION UNDER M.G.L. CHAPTER 93A  
AS TO DEFENDANT CHRISTIANE MEUNIER d/b/a Moon Over Mountain

130. Plaintiff Pelletier repeats and realleges each of the allegations contained in paragraphs 1-129 above.

131. Defendant Meunier d/b/a Moon Over Mountain is using the Copyrighted Design and the Copyrighted Pattern in a manner that misappropriates Plaintiff's goodwill in the

Copyrighted Design and the Copyrighted Pattern. Additionally, by asserting in commerce that Defendant Talbot is the author and owner of the Copyrighted Design, Defendant Meunier d/b/a Moon Over Mountain is misrepresenting the origin of the Copyrighted Design. Such actions constitute an unfair method of competition and unfair or deceptive acts or practices in the conduct of trade or commerce.

132. Defendant Meunier d/b/a Moon Over Mountain's participation in these unfair and deceptive acts has occurred primarily and substantially within the Commonwealth of Massachusetts.

133. By engaging in the activities described above, Defendant Meunier d/b/a Moon Over Mountain has engaged in an unfair method of competition and in unfair and deceptive acts and practices in violation of the Commonwealth of Massachusetts Consumer Protection Laws, M.G.L.c. 93A, § 11.

134. Defendant Meunier d/b/a Moon Over Mountain's acts of unfair competition were willful and knowing and have caused and are causing great and irreparable injury to Plaintiff and to the Copyrighted Design, Copyrighted Pattern, and goodwill represented thereby in an amount that cannot be ascertained at this time and, unless restrained, will cause further irreparable injury, leaving Plaintiff Pelletier with no adequate remedy at law.

135. By reason of the foregoing, Plaintiff Pelletier is entitled to injunctive relief against Defendant Meunier d/b/a Moon Over Mountain, restraining further acts of unfair competition, and to recover attorneys' fees and any damages proven to have been caused by reason of Defendant Meunier d/b/a Moon Over Mountain's aforesaid acts of unfair competition.

#### RELIEF REQUESTED

WHEREFORE, the Plaintiff prays that:

I. Defendants, their agents, servants, employees, and all persons acting under their permission and authority, be enjoined and restrained from infringing, in any manner, Plaintiff's copyrighted work pursuant to 17 U.S.C. § 502;

II. Defendants be ordered to pay damages for each claim of infringement, pursuant to 17 U.S.C. § 504;

III. Defendants be ordered to pay costs, including reasonable attorneys fees, pursuant to 17 U.S.C. § 505; and

IV. Defendants be ordered to pay the Plaintiff their gross revenue derived from each infringing work or act of infringement pursuant to 17 U.S.C. §504(b).

V. Defendants be ordered to pay damages, costs and attorneys' fees for the violations of § 43(a) of the Lanham Act, pursuant to 15 U.S.C. § 1117.

VI. That pursuant to M.G.L.c. 93A, § 11, Plaintiff be awarded double or treble damages, attorneys' fees, and costs.

VII. Any other and further relief which the Court may deem appropriate.

THE PLAINTIFF  
JOANN PELLETIER

/s/ Claire L. Thompson  
By \_\_\_\_\_  
Claire L. Thompson  
Doherty, Wallace, Pillsbury  
& Murphy, P.C.  
1414 Main Street, 19<sup>th</sup> Floor  
Springfield, MA 01144-1900  
(413) 733-3111  
(413) 734-3910 Fax  
B.B.O. #550262

**CERTIFICATE OF SERVICE**

I, Claire L. Thompson, do hereby certify that I have caused a copy of the foregoing to be served upon counsel of record by mailing same first class mail, postage pre-paid, to: Steven M. Coyle, Esq., Cantor Colburn, LLP, 55 Griffin Road South, Bloomfield, CT 06002.

/s/ Claire L. Thompson

Dated: February 24, 2006

\_\_\_\_\_  
Claire L. Thompson

# "sew" many SPOOLS

© 1993 Jo Ann Pelletier - all rights reserved

*Please* read all instructions carefully.

The SPOOLS are "courthouse step" log cabin blocks.  
 Finished block size is 3 3/4" square (4 1/4" including 1/4" seams).  
 You will be making 96 "spools" blocks - 8 across x 12 down.  
 "Scant" 1/4" seams are very important.

## CUT -

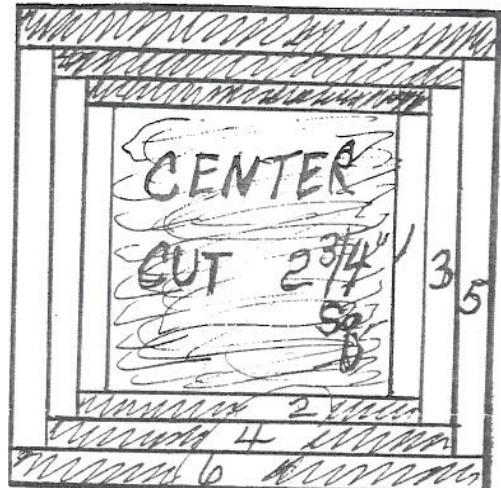
THREAD "center" - various plaids, strips, or prints  
 Cut 96, 2 3/4" squares

LOGS - all "logs" are cut 3/4" wide

BACKGROUND/muslin logs - amounts are for entire quilt  
 #1 log = 3/4" wide x 2 3/4" long - CUT 192  
 #3 log = 3/4" wide x 3 1/4" long - CUT 192  
 #5 log = 3/4" wide x 3 3/4" long - CUT 192

SPOOL logs - for EACH block cut the following -  
 cut 2 of EACH of log #2, #4, #6 (for each block).  
 Remember, there are 96 blocks.

#2 log = 3/4" wide x 3 1/4" long - CUT 2  
 #4 log = 3/4" wide x 3 3/4" long - CUT 2  
 #6 log = 3/4" wide x 4 1/4" long - CUT 2



SASHING/muslin - cut 212 (total amount needed)  
 Cut 1 1/2" wide x 4 1/4" long

CORNERSTONES - various black prints  
 Cut 117, 1 1/2" squares

BORDER 1 - CUT 6, 1 1/4" x 40" strips (or width of fabric selvage to selvage)

BORDER 2 - CUT 6, 3 1/4" x 40" strips (or width of fabric selvage to selvage)

BINDING - CUT 6, 2 1/2" x 40" strips (or width of fabric selvage to selvage)

Page 2

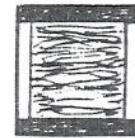
**CONSTRUCTION** - all seams are sewn with "scant" 1/4" seams. This is very important. If your seam allowance is too wide, the block will not measure the correct size. You will check the size of the block AFTER each "ROUND" (see at end of step 1 how to do this).

### STEP 1 - "ROUND 1"

to the 2 3/4" square "*THREAD center*", add logs #1  
(3/4" x 2 3/4" background fabric) to EACH SIDE.

Press towards the logs.

then add #2 logs (3/4" x 3 1/4" spool fabric)  
and press towards the logs.



**IMPORTANT** - check the size of the block with your "square ruler".

The block should measure 3 1/4" sq. Trim if necessary to get rid of any excess over 3 1/4" sq. If the block measures less than the correct size, your seams are too wide.

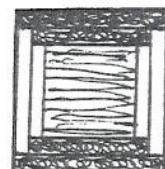
- ROUND 1 = 3 1/4" SQUARE -

### STEP 2 -

Add logs #3 - (3/4" x 3 1/4" background fabric), press

Add logs #4 (3/4" x 3 3/4" spool fabric), press

ROUND 2 = 3 3/4" square

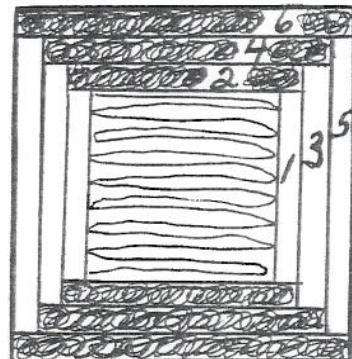


### STEP 3 -

Add logs #5 (3/4" x 3 3/4" background fabric), press

Add logs #6 (3/4" x 4 1/4" spool fabric), press

ROUND 3 = 4 1/4" square



**ASSEMBLY -**

Lay the blocks down - 8 rows across x 12 rows down as the diagram below shows. Leave a space and place the SASHING (1 1/2" x 4 1/4" strips) and the 1 1/2" CORNERSTONE blocks as pictured.

Stitch together by rows -

ROW 1 - CORNERSTONES & SASHING, press to sashing.

ROW 2 - SASHING & "SPOOL" block, press to sashing.

Continue till rows are done.

Stitch the ROWS together.

**BORDER 1** - cut 2 of the strips to fit top and bottom of quilt - should be about 39 1/2" (check the size of your quilt top). Stitch, press toward outside. Stitch the 4 remaining strips together - measure, cut and add to sides (should be about 60"). Press

**BORDER 2** - Top and bottom of quilt should be about 41" wide (remember, check to see what yours actually measures).. Cut 2 border strips to fit (or piece strips together if needed). Stitch and press. Stitch the 4 remaining strips together - measure, cut and add to sides (should be about 66"). Press

**FINISHING** - Layer top,  
batting & backing.

Quilt or tie.

(recommendation -

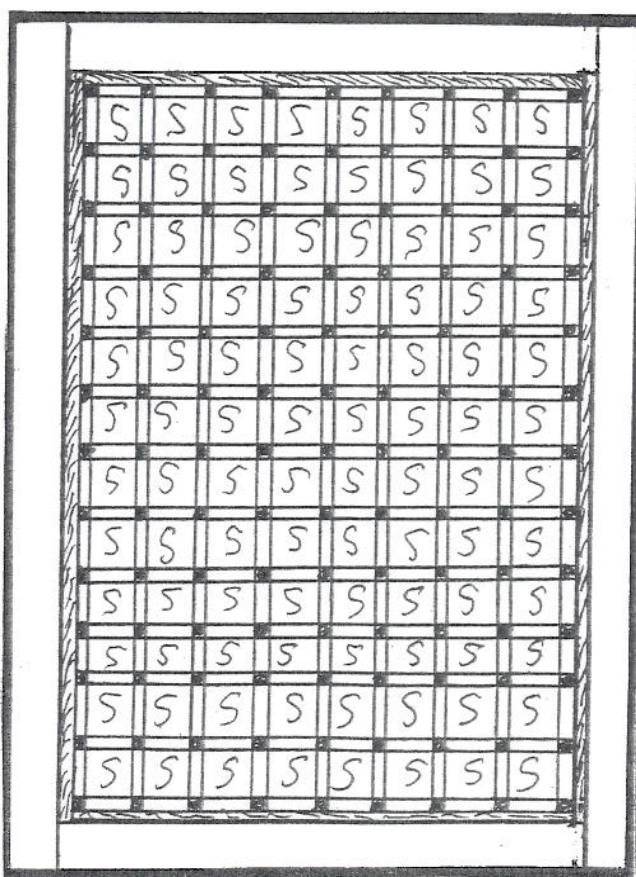
"stitch in the ditch"  
quilting)

Add binding

Thank you for purchasing my pattern.  
I hope you enjoyed the process of  
making this "very UNIQUE" quilt.

*Jo Ann Pelletier*

©1993 Jo Ann Pelletier - all rights reserved



# "sew" many SPOOLS

46" x 66" finished quilt

These SPOOLS are "courthouse step" log cabin blocks. The blocks finish 3 3/4" square and are made with logs that finish 1/4" wide. You'll be successful (making these small logs) by following the instructions carefully. Very "UNIQUE"!

## MATERIALS NEEDED:

THREAD "CENTER" - 96 (2 3/4" squares)

plaids, strips or prints

SPOOLS - 20 (more or less) brown print "fat eighth" (a fat eighth measures 9" x 22")

BACKGROUND muslin - 3 1/4 yards (used in "spool" block and for SASHING)

CORNERSTONES - 117, 1 1/2" squares cut from 20 (more or less) black prints

BORDER 1 (red) - 1/3 yard

BORDER 2 (black print) - 3/4 yard

BINDING (black) - 3/4 yard

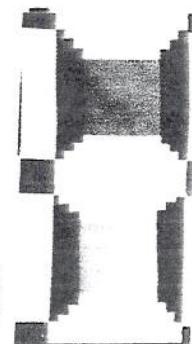
BACKING & BATTING - 49" x 69"



Jo Ann Pelletier designs  
P O Box 60732  
Longmeadow MA 01139  
413 567-7146

"sew" many SPOOLS

101



All rights reserved. No part of this pattern may be reproduced or photocopied in any form without prior written consent. All finished items are protected by copyright and may not be reproduced for any commercial use. Federal copyright laws protect all of the above. This pattern is intended for your personal use only.

© 1993 Jo Ann Pelletier

© 1993 Jo Ann Pelletier

B

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

Form VA

REGIST

VA 1-282-126

EFFECTIVE DATE OF REGISTRATION

SEP 17 2004

Month Day Year

## DATE CONTINUATION SHEET

Title of This Work ▼

1

"Sew" many SPOOLS

NATURE OF THIS WORK ▼ See Instructions

Previous or Alternative Titles ▼

PATTERN  
fabric design

Publication as a Contribution. If the work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give. Volume ▼

Number ▼

Issue Date ▼

On Page ▼

NAME OF AUTHOR ▼

2

a JoAnn Pelletier

DATES OF BIRTH AND DEATH

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  Yes  NoAuthor's Nationality or Domicile  
Name of CountryOR  Citizen of USA  Domiciled in USA5/31/1938

Was This Author's Contribution to the Work

Anonymous?  Yes  NoPseudonymous?  Yes  No

If the answer to either of these questions is "Yes," see detailed instructions.

## NOTE

Under the law the author of a "work made for hire" is generally the employer not the employee (see instructions). For any part of this work that was made for hire check "Yes" in the space provided. If the employer (or other person for whom the work was prepared) as "Author" of that part and leave the space for date of birth and death blank.

Nature of Authorship Check appropriate box(es) See Instructions  
 3 Dimensional sculpture  Map  Technical drawing  
 2-Dimensional artwork  Text  Architectural work  
 Reproduction of work of art  Photograph  Jewelry design

Name of Author ▼

b

Dates of Birth and Death

Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?  Yes  NoAuthor's Nationality or Domicile  
Name of CountryOR  Citizen of \_\_\_\_\_  Domiciled in \_\_\_\_\_

Was This Author's Contribution to the Work

Anonymous?  Yes  NoPseudonymous?  Yes  No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es) See Instructions  
 3 Dimensional sculpture  Map  Technical drawing  
 2 Dimensional artwork  Text  Architectural work  
 Reproduction of work of art  Photograph  Jewelry design

3

a Year in Which Creation of This Work Was

Completed 1993This information  
must be given  
Year in all cases.

b Date and Nation of First Publication of This Particular Work

Complete this information Month JAN Day 21 Year 1993  
ONLY if this work  
has been published

Nation

See instructions  
before completing  
this space

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 ▼

JoAnn Pelletier 41 Woolworth St  
Longmeadow MA 01106

Transfer if the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright ▼

APPLICATION RECEIVED  
SEP 17 2004

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED  
SEP 17 2004

FUND RECEIVED

DO NOT WRITE HERE  
OFFICE USE ONLY

MORE ON BACK ▶

Complete all applicable spaces (numbers 5-8) on the reverse side of this page.

See detailed instructions.

Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of 22

EXAMINED BY *JPS*

FORM VA

CHECKED BY

CORRESPONDENCE  
Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes  No If your answer is "Yes" why is another registration being sought? (Check appropriate box.) □  
 a.  This is the first published edition of a work previously registered in unpublished form  
 b.  This is the first application submitted by this author as copyright claimant  
 c.  This is a changed version of the work, as shown by space 6 on the application.

5

If your answer is "Yes" give Previous Registration Number □

Year of Registration □

DERIVATIVE WORK OR COMPILED WORK Complete both space 6a and 6b for a derivative work, complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates □

6

b. Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed □a  
See Instructions  
before completing  
this space.

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established at the Copyright Office, give name and number of Account Name □

Account Number □

7

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP □

JoAnn Pelletier  
41 Woolworth St  
Longmeadow MA 01106

Area code and daytime telephone number *(413) 567-7146*Fax number *(413) 567-4258*Email *joejoann@comp3.net*

b

CERTIFICATION I, the undersigned, hereby certify that I am the

check only one □

author  
 other copyright claimant  
 owner of exclusive right(s)  
 authorized agent of

Name of author or other copyright claimant or owner of exclusive right(s) □

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date □ If this application gives a date of publication in space 3 do not sign and submit it before that date

*JoAnn Pelletier*Date *9/14/2004*

Handwritten signature (X) □

*X JoAnn Pelletier*Certificate  
will be  
mailed in  
window  
envelope  
to this  
address

|                     |                     |
|---------------------|---------------------|
| Name □              | JoAnn Pelletier     |
| Number/Street/Apt □ | 41 Woolworth St     |
| City/State/ZIP □    | Longmeadow MA 01106 |

Complete all necessary spaces.  
Sign your application in space 8.

1. Application form
2. Nonrefundable filing fee in check or money order payable to Register of Copyrights
3. Deposit material

Library of Congress  
Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20590-6000

9

For an estimate  
of filing fees, check the  
Copyright Office  
website at  
[www.copyright.gov](http://www.copyright.gov)  
or call  
(202) 707-9000

17 U.S.C. § 504(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405 or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

given a grade. May 2006 - (75 people)  
Log Cabin Club

Joann Leletier "C"

- April 2000 -

Because of copyright infringement laws  
(and how the growing awareness of  
design rights has affected our  
quiltmaking) -

I FEEL THAT I MUST MAKE THE  
FOLLOWING REQUEST -

---

The LOG CABIN sampler blocks are  
intended to be used in your log cabin  
sampler being made in class. The  
finished quilt (or whatever you  
make using these blocks) is for  
your own personal use and  
enjoyment - NOT for public  
display or publication.

This also applies to "BONUS"  
quilts made in class.

Joann Leletier

## DOHERTY, WALLACE, PILLSBURY AND MURPHY, P.C.

PAUL S. DOHERTY  
 PHILIP J. CALLAN, JR.  
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 OF COUNSEL

DUDLEY B. WALLACE  
 (1900-1987)  
 LOUIS W. DOHERTY  
 (1898-1990)  
 FREDERICK S. PILLSBURY  
 (1919-1996)  
 ROBERT E. MURPHY  
 (1919-2003)  
 SAMUEL A. MARSELLA  
 (1931-2004)

† REGISTERED PATENT ATTORNEY  
 \* ALSO ADMITTED IN CONNECTICUT  
 ‡ ALSO ADMITTED IN NEW YORK  
 \*\* ALSO ADMITTED IN DISTRICT OF COLUMBIA

September 21, 2004

CERTIFIED MAIL RETURN RECEIPT REQUESTED7160 3901 9848 5876 8040**Certified Article Number****7160 3901 9848 5876 8040****SENDERS RECORD**

Ms. Sandra T. Talbot  
 15 Prynwood Road  
 Longmeadow, MA 01106

CERTIFIED MAIL RETURN RECEIPT REQUESTED7160 3901 9844 9045 8675**Certified Article Number****7160 3901 9844 9045 8675****SENDERS RECORD**

Ms. Christiane Meunier  
 Chitra Publications, Inc.  
 2 Public Avenue  
 Montrose, PA 18801-1220

Re: Copyright Infringement

Dear Ms. Talbot and Ms. Meunier:

Please be advised that this office represents JoAnn Pelletier, of Longmeadow, Massachusetts. JoAnn is the owner of certain copywritten material as further described in this letter. It has come to our attention that you are using JoAnn's copywritten material consisting of a quilt pattern which you have called "Just Spooling Around" (the "Protected Design" or the "Pattern") without authority.

As you may know, by federal law, the owner of a copyright has the exclusive right to reproduce and distribute the copyrighted work. Accordingly, a validly copyrighted work is infringed when unauthorized reproductions of the copyrighted work have been made. JoAnn taught her spool Protected Design in quilting classes beginning in 1993. She disclosed the Pattern for the purpose of teaching her students. She made it clear to all of her students that they were not authorized to copy and distribute the Pattern, as it was her work of artistic expression. She did authorize each student to use the Pattern as a learning tool and to make a quilt for her

DOHERTY, WALLACE, PILLSBURY AND MURPHY, P.C.

Ms. Sandra T. Talbot  
 Ms. Christiane Meunier  
 September 21, 2004  
 Page 2

own use and enjoyment. Ms. Talbot threatened to distribute the Protected Design forcing JoAnn to disengage her from her class in September, 2000. In 2003, Ms. Talbot in fact distributed the Protected Design to Chitra Publications, Inc. representing it as her own, in violation of federal copyright law.

Accordingly, demand is made of Ms. Talbot as follows:

1. JoAnn demands that Ms. Talbot cease and desist claiming ownership of the Pattern and Protected Design.
2. JoAnn demands that Ms. Talbot you cease and desist distributing, copying and reproducing the Pattern and Protected Design.
3. JoAnn demands that Ms. Talbot cause to be published in Chitra Publications' next issue of Quiltworks Today and online the following written apology for a period of six months verbatim displayed in font size and legibility equal to that of the entire publication:

*Sandra T. Talbot, has falsely claimed ownership of the "Just Spooling Around" protected design without authority of its rightful owner. Sandra T. Talbot apologizes for the use of the intellectual property of JoAnn Pelletier of Longmeadow, Massachusetts. JoAnn Pelletier is the creator and owner of the pattern for "Just Spooling Around".*

4. JoAnn demands damages in the total amount of \$50,000.00.

This demand is supported by the following:

**Copyright Infringement.**

Federal law at 17 USC §102(a) states that copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories: (1) literary works; (2) musical works, including any accompanying words; (3) dramatic works, including any accompanying music; (4) pantomimes and choreographic works; (5) pictorial, graphic, and sculptural works; (6) motion pictures and other audiovisual works; (7) sound recordings; and (8) architectural works.

JoAnn owns the copyright to the pictorial, graphic work consisting of the Pattern to all of the quilts which are her original works of artistic expression and protected as her intellectual property. JoAnn's spool quilt pattern is one that she designed independently over a period of many years. As soon as she sketched and wrote the Pattern on paper, her copyright subsists. Her documentary evidence supports that she wrote the Pattern many years ago. As the copyright

DOHERTY, WALLACE, PILLSBURY AND MURPHY, P.C.

Ms. Sandra T. Talbot  
 Ms. Christiane Meunier  
 September 21, 2004  
 Page 3

owner of this artistic work, JoAnn has the exclusive right to reproduce and to distribute the Pattern and Protected Design (17 USC § 106). Because Ms. Talbot and Chitra have published, reproduced and distributed the Pattern and the Protected Design without JoAnn's authorization, you have both infringed JoAnn's copyright upon publication of the Protected Design and Pattern in Chitra Publications, Inc. Quiltworks Today. October/November, 2003 issue at pages 26 and 27 (the "magazine").

Subsequent to that unauthorized publication, you recently published, reproduced and distributed the Protected Design in a book entitled A Few of My Favorite Scrap Quilts also published by Chitra Publications, Inc. (the "book"). In fact, it is featured on the cover of the book, on page 3 in the book and the Pattern is duplicated in the book at pages 11 and 15 in violation of federal copyright law. You, Ms. Talbot, have held yourself out to be the owner of the artistic expression manifested in the Protected Design in both the magazine and the book when in fact you are not. You have published your photograph with JoAnn's quilt Pattern, falsely claiming credit for its design. You falsely informed Chitra Publications that you were the owner of the Protected Design and that no one else had any rights to the Protected Design, when you knew that to be false.

Not only have your actions been egregious, insulting and personally cruel, but you have violated federal and state law. Both you and Chitra have taken action in reckless disregard for the true owner's copyright notwithstanding actual notice of such right.

Chitra Publications, Inc. has reproduced, duplicated, published and distributed the Protected Design in violation of federal copyright law.

Chitra may attempt to claim that it relied to its detriment on the false claims of Ms. Talbot. Unfortunately for Chitra, detrimental reliance is no defense to copyright infringement. Accordingly, demand is made of Chitra as follows:

1. JoAnn demands that Chitra cease and desist from selling the book, remove the book immediately from the shelves of its retailers and from the Internet.
2. JoAnn demands that Chitra publish the written apology in its next magazine issue and on the Internet exactly as demanded above.
3. JoAnn demands that Chitra remove the magazine from the website and cease and desist sales of that issue of the magazine.
4. JoAnn demands damages in the total amount of \$50,000.00.

The magazine and book, although informational, are commercial. The publications developed and published by Chitra Publishing, Inc. are primarily for the purpose of generating

DOHERTY, WALLACE, PILLSBURY AND MURPHY, P.C.

Ms. Sandra T. Talbot  
Ms. Christiane Meunier  
September 21, 2004  
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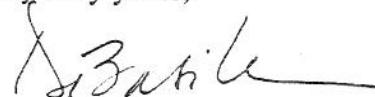
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Very truly yours,

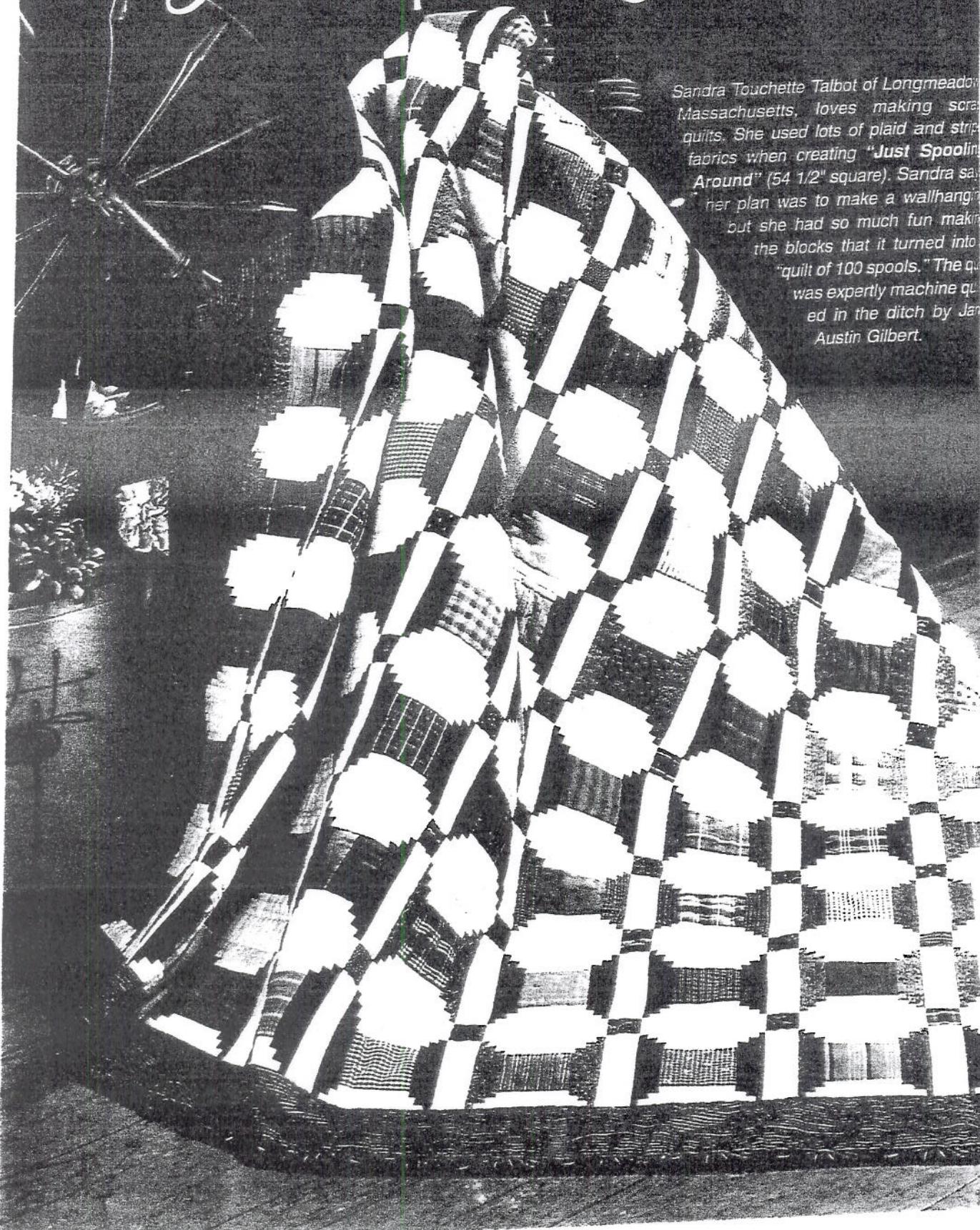
  
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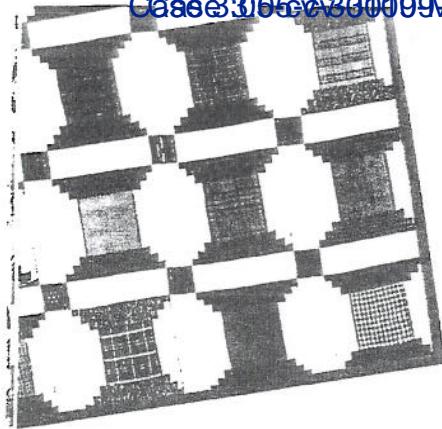
Enclosure

cc: JoAnn Pelletier

# Just Spooling Around



Sandra Touchette Talbot of Longmeadow, Massachusetts, loves making scrap quilts. She used lots of plaid and strip fabrics when creating "Just Spooling Around" (54 1/2" square). Sandra says her plan was to make a wallhanging, but she had so much fun making the blocks that it turned into "a quilt of 100 spools." The quilt was expertly machine quilted in the ditch by Jan Austin Gilbert.



**Quilt Size:** 54 1/2" square  
**Block Size:** 4" square

## Materials

- 100 assorted prints, plaids, and stripes, each at least 3" square
- 25 brown prints, each at least 13" square
- 21 assorted black prints, each at least 3" square
- 2 1/3 yards muslin
- 1 3/4 yards black stripe for the border
- 2/3 yard black print for the binding
- 3 1/2 yards backing fabric
- 59" square of batting
- Foundation paper (optional)

## Cutting

Dimensions include a 1/4" seam allowance.

- Cut 100: 3" squares, assorted prints, plaids, and stripes

**From each brown print:**

NOTE: Separate each group of 8 strips into 2 piles of 4.

- Cut 8: 3/4" x 4 1/2" strips
- Cut 8: 3/4" x 4" strips
- Cut 8: 3/4" x 3 1/2" strips

**From the muslin:**

- Cut 180: 1 1/2" x 4 1/2" strips, for the sashing

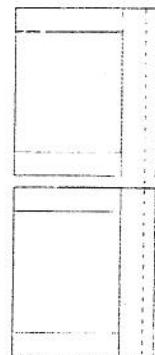
# Just Spooling Around

- Cut 200: 3/4" x 4" strips
- Cut 200: 3/4" x 3 1/2" strips
- Cut 200: 3/4" x 3" strips

**From the assorted black prints:**

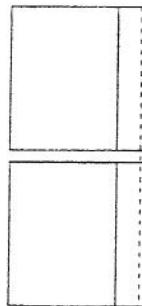
- Cut 81: 1 1/2" squares
- Also:**
- Cut 4: 3 1/4" x 58" strips, black stripe, for the border
- Cut 6: 2 1/2" x 40" strips, black print, for the binding

5. Chain stitch 3/4" x 3 1/2" print strips to the square units shown. Use only 4 strips each. Clip the units apart.

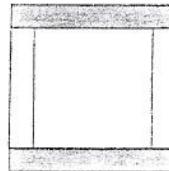


## Directions

1. Stitch a 3/4" x 3" muslin strip to a 3" print square. Chain stitch a 3/4" x 3" muslin strip to each of the remaining 3" squares.

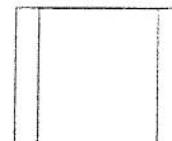


6. Chain stitch a 3/4" x 3 1/2" matching brown print strip to the opposite side of each unit.

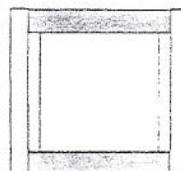


7. Clip the units apart and press the seam allowances toward the brown print. Trim the seam allowances to 3/16".

8. Chain stitch 3/4" x 3 1/2" strips to the muslin sides of each unit. Press and trim, as before.
2. Clip the units apart.
3. Chain stitch a 3/4" x 3" muslin strip to the opposite side of each square.
4. Clip the units apart and press the seam allowances toward the muslin. Trim the seam allowances to 3/16".



9. Chain stitch 3/4" x 4" matching brown print strips to each unit. (continued on p.





Sandra  
Talbot

**Quilt Size:** 54 1/2" square  
**Block Size:** 4" square



*Yardage is based on fabric with a useable width of 40".*

- 100 assorted prints, plaids, and stripes, each at least 3" square
- 25 brown prints, each at least 10" square
- 21 assorted black prints each at least 3" square
- 2 1/3 yards muslin
- 1 3/4 yards black stripe for the border
- 2/3 yard black print for the binding
- 3 1/2 yards backing fabric
- 59" square of batting
- foundation paper (optional - see page 28)

## Cutting

*Dimensions include a 1/4" seam allowance.*

- Cut 100: 3" squares, assorted prints, plaids, and stripes

### From each brown print:

*NOTE: Separate each group of 8 strips into 2 piles of 4.*

- Cut 8: 3/4" x 4 1/2" strips
- Cut 8: 3/4" x 4" strips
- Cut 8: 3/4" x 3 1/2" strips

### From the muslin:

- Cut 180: 1 1/2" x 4 1/2" strips
- Cut 200: 3/4" x 4" strips
- Cut 200: 3/4" x 3 1/2" strips
- Cut 200: 3/4" x 3" strips

### From the assorted black prints:

- Cut 81: 1 1/2" squares

#### Also:

- Cut 4: 3 1/4" x 58" strips, black stripe, for the border
- Cut 6: 2 1/2" x 40" strips, black print, for the binding

## Directions

1. Stitch a 3/4" x 3" muslin strip to a 3" print square. Chain stitch a 3/4" x 3" muslin strip to each of the remaining 3" squares.



2. Clip the units apart.

3. Chain stitch 3/4" x 3" muslin strips to the opposite side of each square.



4. Clip the units apart and press the seam allowances toward the muslin. Trim the seam allowances to 3/16".

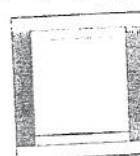
5. Chain stitch 3/4" x 3 1/2" brown print strips to the square units, as shown. Use only 4 strips of each brown print. Clip the units apart.



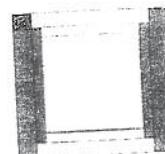
6. Chain stitch 3/4" x 3 1/2" matching brown print strips to the opposite side of each unit.



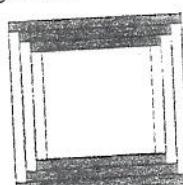
7. Clip the units apart and press the seam allowances toward the brown print. Trim the seam allowances to 3/16".



8. Chain stitch 3/4" x 3 1/2" muslin strips to the muslin sides of each unit. Press and trim.



9. Chain stitch 3/4" x 4" matching brown print strips to each unit. Press and trim.



10. Chain stitch the 3/4" x 4" muslin strips to the muslin sides of each unit. Press and trim.

11. Chain stitch the 3/4" x 4 1/2" matching brown print strips to the remaining sides. Press and trim.

# *A Few of My Favorite* **SCRAP • QUILTS**

**E** by  
Christian  
Meunier

**10**  
**Full-Size**  
**Patterns**



# ❖ Introduction ❖

While looking through past issues of *Quilting Today* and *Traditional Quiltworks* magazines for inspiration, I noticed that it is always the same quilts that jump out at me. They are the quilts I loved when we first chose them to be in the magazine, and years later, all I need is to flip through the pages and catch a glimpse of them to fall in love with them again. Usually they're scrap quilts. I enjoy making scrap quilts as much as I do looking at them.

Scrap quilts originally were a tribute to our ancestors' ability to turn scarcity into beauty. They transformed their lack of material into a glorious celebration of life. With the wealth of fabric available

today, scrap quilts can be more expressive than ever. Using lots of different fabrics can give quilts a visual depth and range of texture that is more difficult to attain with fewer fabrics. "Myths of Avalon," one of the patterns in this book, wouldn't be quite as interesting if it were a red and white quilt. But as it's shown here, your eyes travel around the surface of the quilt, resting in a certain area and studying others. It's a wonder that so many different elements can come together as a beautiful and harmonious unit.

Scrap quilts are also a lot of fun to make. As long as you have fabric in your stash, you never have to worry about running out of a particular one late at night. And if your stash is like mine, you're home free for the rest of your life! Working with a lot of different fabrics gives you the freedom to be daring and to us

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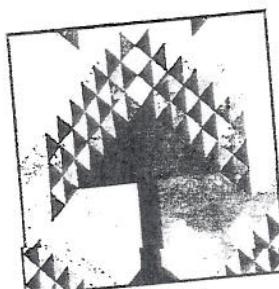
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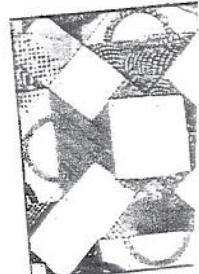
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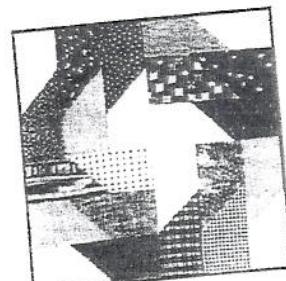
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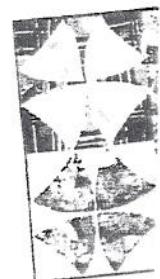
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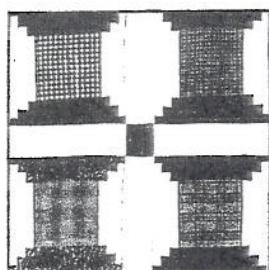
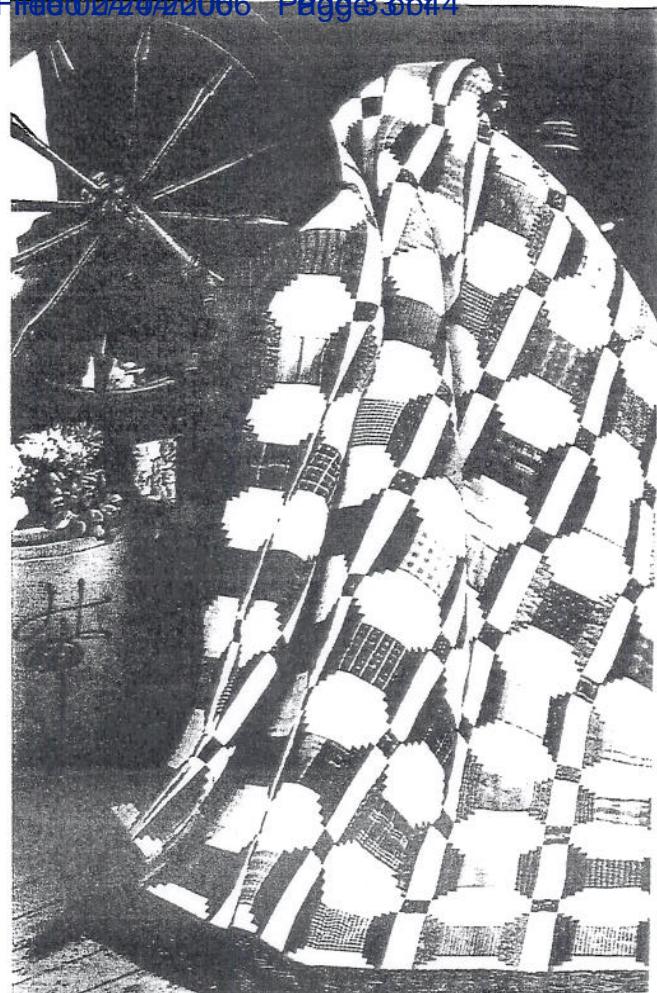
Winding  
Ways....

a little bit of that lime green that is so "not you." Scrap quilts are also very forgiving; you don't have to have the perfect plan when starting out. If your design gets too bright, just start making more dark blocks. If it gets too dull, step up on the brights. As you go through the process of making a block or two at a time, there's usually time to balance things out. And you never get stuck having to make 32 more blocks exactly like the 16 you just made!

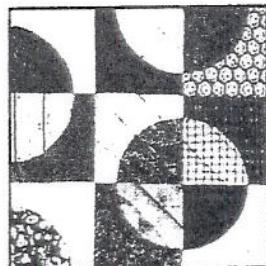
The 10 quilts in this book are a few of my favorite scrap quilts. I hope they inspire you to get your fabric out and start playing!

Happy quilting!

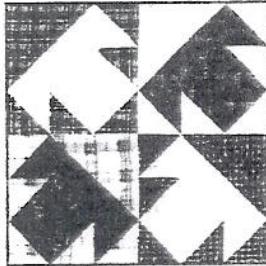
*Christine*



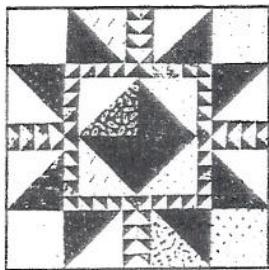
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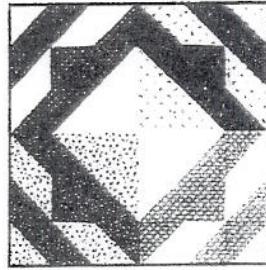
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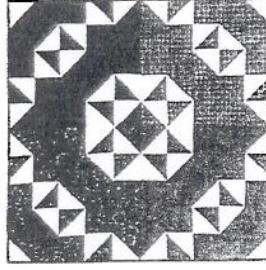
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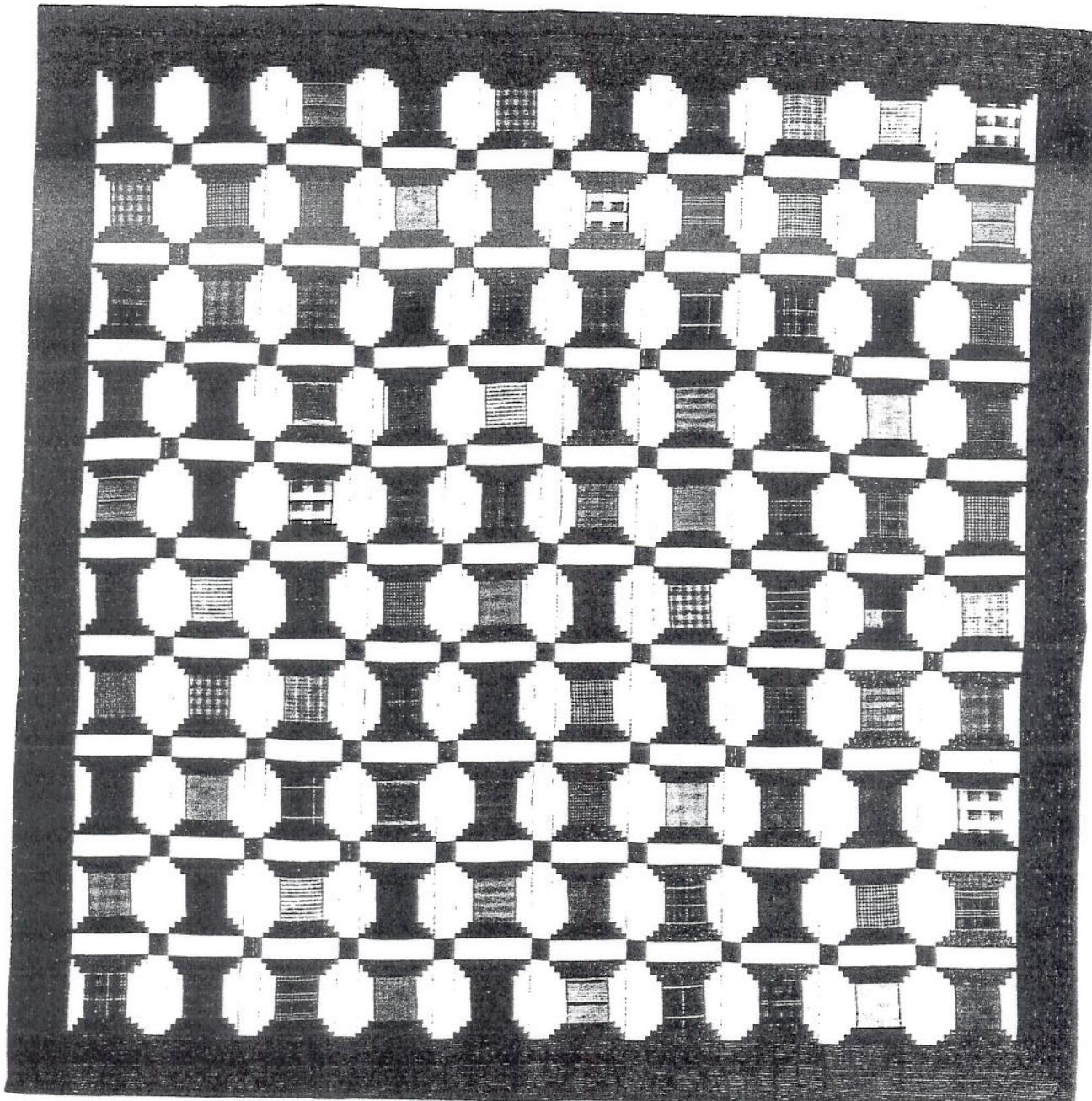
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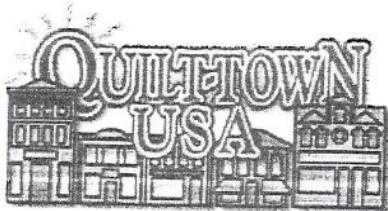


## Just Spooling Around

Sandra Touchette Talbot of Longmeadow, Massachusetts, loves making scrap quilts. She used lots of plaid and stripe fabrics when creating "Just Spooling Around." Sandra says her plan was to make a wallhanging but she had so much fun making the blocks that it turned into a "quilt of 100 spools."

The quilt was expertly machine quilted by Janis Austin Gilbert.





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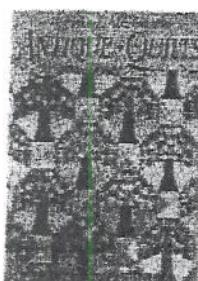
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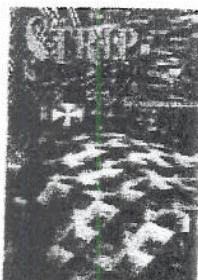
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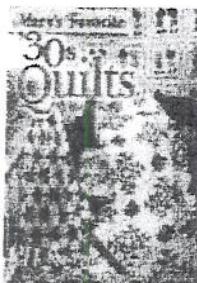
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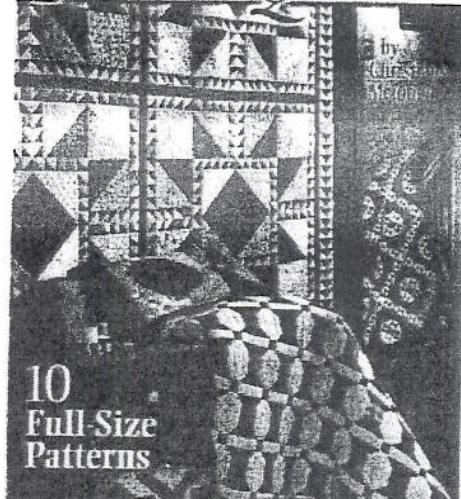
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### *A Few of My Favorite* **SCRAP + QUILTS**



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"Scrap quilts are fun to make," says popular author Christiane Meunier. She chose scrap quilts from past issues of Quilting Today, Traditional Quiltworks and Quilt magazines that are sure to become your favorites too. With the wealth of fabric scrap quilts can be more expressive than ever. So dig into that fabric stash and scrap quilt today!

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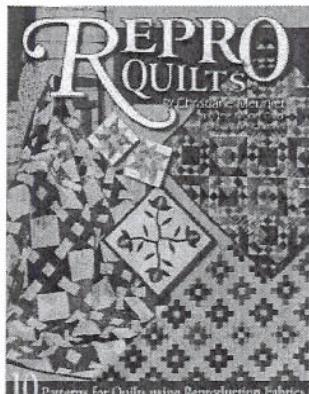


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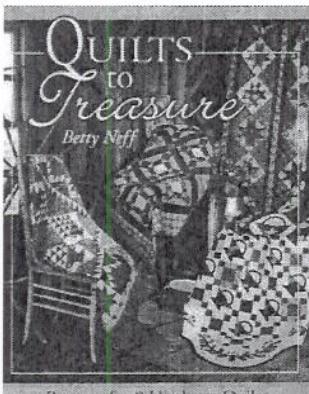
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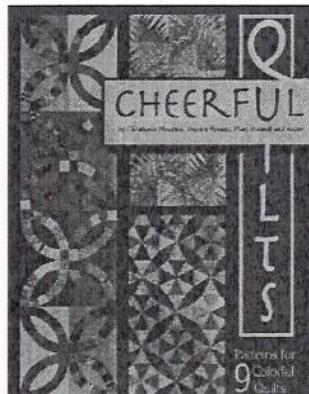
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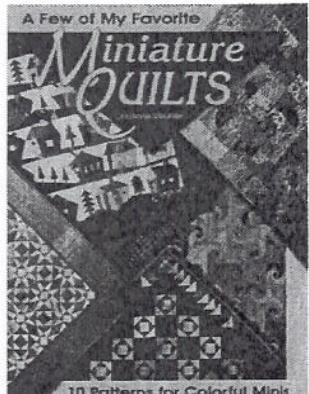
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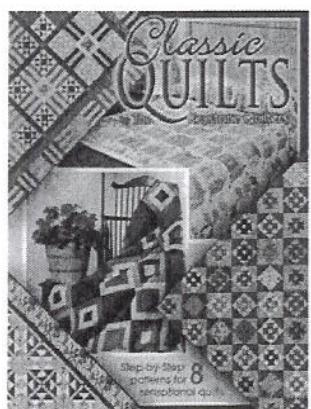
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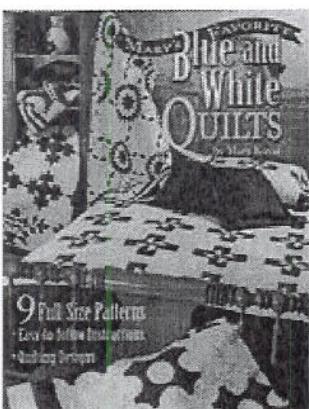
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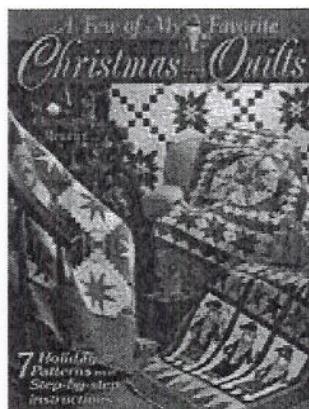
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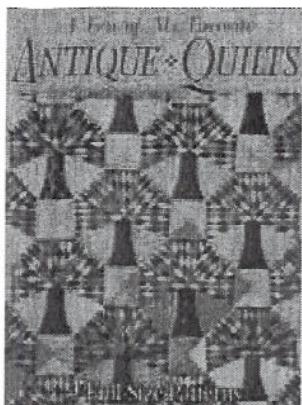
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**A Few of My Favorite  
Christmas Quilts**  
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Miniature Quilts  
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CHL173



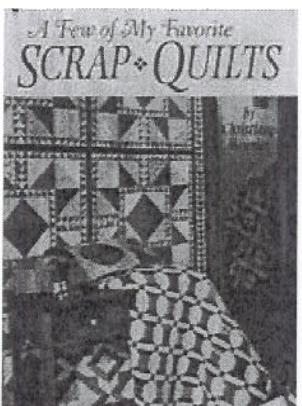
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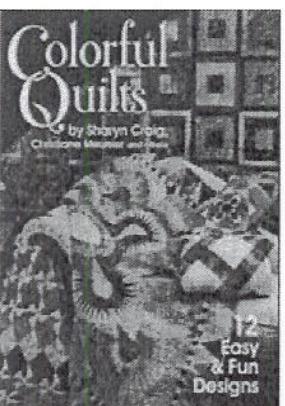
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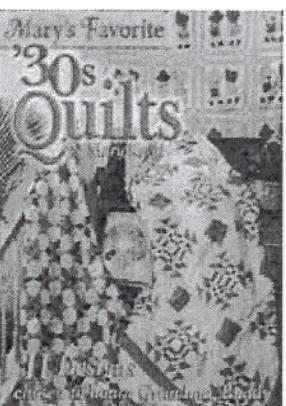
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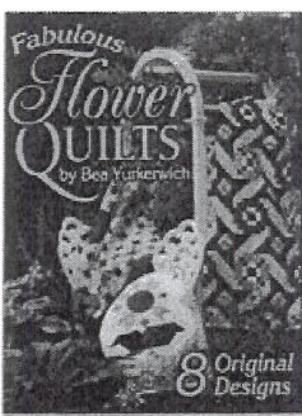
Colorful Quilts  
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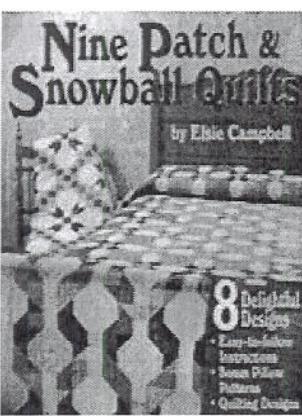
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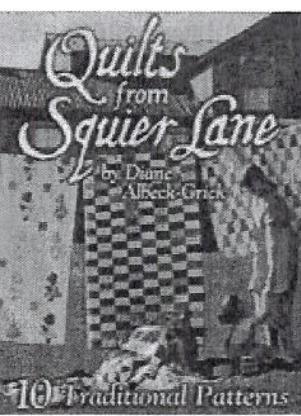
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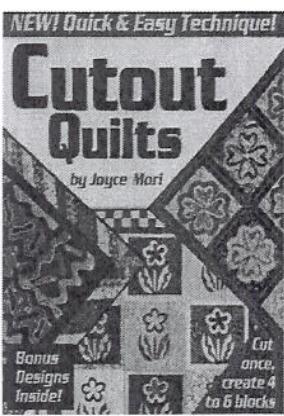
Fabulous Flower Quilts  
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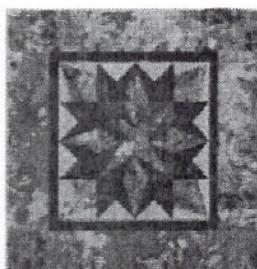
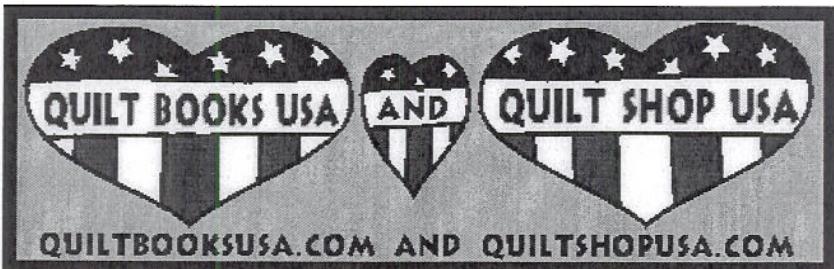


Quilts from Squier Lane  
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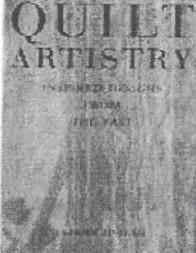
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| <p><b>A Few of My Favorite Scrap Quilts</b> door Christiane Meunier. Uitgever: Chitra. Veel van deze patronen zijn eerder gepubliceerd in Quilting Today en Traditional</p>   | <p><b>Quilt Savvy, Fallert's Guide to Images on Fabric</b> door Caryl Bryer Fallert. Uitgever: AQS. U kunt uw eigen stoffen bedrukken met afbeeldingen die u zelf op uw</p>   | <p><b>Sensational Settings</b> door Joan Hanson. Uitgever: Martingale. Er zijn meer mogelijkheden om van een stapel blokken een quilt samen te stellen dan op het</p>  |

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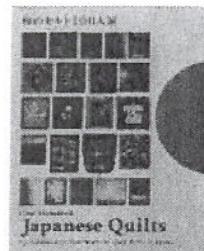
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